

IN THE DRAWINGS

Applicants have modified FIGS. 6-10 by replacing each of FIGS. 6-10 with the attached Replacement Sheets.

Attachment: Replacement Sheets for FIGS. 6-10

REMARKS

The present amendment is responsive to the Official Action mailed February 11, 2009. Following the amendments and remarks made herein, reconsideration of the Examiner's rejections and notice of allowance of all pending claims is respectfully requested. Claims 2-9, 11, 18, and 22 have been cancelled and claims 1, 10, 12-17, and 19-21 have been amended. No new matter has been introduced. Reconsideration is respectfully requested.

Specification

As indicated above, the Abstract was amended on 9/28/2006. None of the legal phraseology the Examiner objected to was included in the amended abstract. Accordingly, the Examiners reference to proper language and format are moot. Reconsideration is respectfully requested.

Drawings

FIGS. 6-10 were objected to because the lines were not uniformly thick and solid black is not permitted. Applicants have submitted herewith replacement sheets having replaced FIGS. 6-10. Reconsideration is respectfully requested.

Further, the Examiner indicated that the drawings must show every feature of the invention specified in the claims. Applicants have cancelled each of the claims 6, 7, and 9 thus rendered the Examiner's objections moot. Regarding the objections to claims 16 and 17, Applicants point out to the Examiner that these claims are now depending from the substantially amended claim 1. Reconsideration is respectfully requested.

Claim Objections

The Examiner objected to claims 1, 3, 5, 9, 11, 14-16, 20, and 21 for a plurality of informalities. Claims 3, 5, 9, and 11 have been cancelled thereby rendering the objections moot. Applicants have modified each of claims 14-16, 20, and 21 based on the Examiners suggestions. Reconsideration is respectfully requested.

Rejections under 35 U.S.C. § 112

The Examiner rejected claims 1-22 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1 and 20 have been substantially amended thereby overcoming the rejections regarding its limitations. For example, claims 1 and 20 no longer reference the term grooves.

Claims 9, 11 and 22 have been cancelled thereby rendering those rejections moot. Further, the modifications made to claim 1 describe the ball returns location thereby rendering the rejection of claims 12-16 moot.

Claim 12 and 13 included the typographical errors of "notice" and "liner." These terms have been changed to "notch" and "linear", thereby removing any confusion.

Claim 17 has been amended to provide the proper antecedent basis.

Claim 21 has been amended removing reference to stators and the language "transforming station of said rotating member to a linear movement" has been amended to "transforming said rotating member to a linear movement," thereby removing any confusion. Reconsideration is respectfully requested.

Rejections Under §§ 102 and 103

Claims 1-6, 9, 18 and 20-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 6,244,374 to Tomita et al. ("Tomita"). Claims 7-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomita in view of US Publication No. 2003/0010146 to Matsushita ("Matsushita"). Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomita in view of US Patent No. 6,376,958 to Koharagi et al ("Koharagi"). Claims 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomita in view of Koharagi further in view of US Patent No. 7,350,434 to Nishimura ("Nishimura"). Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomita in view of Koharagi further in view of Nishimura and US Patent Publication No. 2003/0050569 to Nishimura ("Nishimura"). Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Tomita in view of US Patent No. 6,026,924 to Godek ("Godek"). Applicants traverse the rejections.

In rejecting each of independent claims 1, 20, and 21 the Examiner relied on Tomita. Unlike Tomita, each of new claims 1, 20, and 21 include the recitation of ball return in the shaft. This provides, inter alia, the benefit of allowing the electric motor to become small and compact. This benefit can not be realized by Tomita as Tomita has no ball return in the shaft. Accordingly, Tomita neither teaches nor suggests the recitations of claims 1, 20, and 21.

Further, each of independent claims 1, 20, and 21 includes the recitation of generating a magnetic field. In rejecting this element the Examiner indicated that Tomita discloses this with references to numeral 50. However, numeral 50 merely refers to an electric motor (e.g., see Col.3 lines 40-

55) with a rotational shaft. The mere reference to an electric motor in no way teaches or suggests and the actual generating of a magnetic field. Accordingly, reconsideration is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that new independent claims 1, 20, and 21 are allowable, as are dependent claims 10, 12-17, and 19 depending from claim 1, notwithstanding that such claims are believed to also include additional patentable subject matter as presented above. Reconsideration of the Examiner's rejections is therefore requested

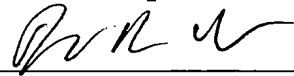
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 5, 2009

Respectfully submitted,

By 

David R. Widomski
Registration No.: 61,555
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Agent for Applicant